

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
PEDRO PEREZ, JR.,

Plaintiff,

- against -

THE CITY OF NEW YORK; POLICE OFFICER
ALBERT ARONOV; POLICE OFFICER
PATRICK MCGRATH; SERGEANT DANIEL
ZIEGLER; DETECTIVE MICHAEL HENRY;
and ASSISTANT DISTRICT ATTORNEY
ERNEST CHIN,

Defendants.

-----X
BLOOM, United States Magistrate Judge:

Plaintiff moves for entry of default against defendants pursuant to Federal Rule of Civil Procedure 55(a).¹ (ECF Nos. 89-91.) Defendants have yet to respond to plaintiff's amended complaint; however, by Order dated July 21, 2011, the Court directed defendants to respond to the amended complaint within twenty-one days of service of process on defendant Sergeant Daniel Ziegler. (ECF No. 85.) The record does not reflect that defendant Ziegler has been served. Accordingly, plaintiff's request for entry of default against defendants is denied without prejudice. Defendants shall respond to plaintiff's amended complaint following service upon defendant Ziegler.

SO ORDERED.

Dated: November 21, 2011
Brooklyn, New York

LOIS BLOOM
United States Magistrate Judge

¹ *Pro se* plaintiff states that he moves for default judgment pursuant to Rule 55(b); the Court construes his request as pursuant to Rule 55(a).

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ NOV 22 2011 ★

BROOKLYN OFFICE

ORDER

10-CV-3750 (RJD)(LB)

Chin